

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

	)	
	)	
CLAUDE HUNTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>JUDGMENT</b>
	)	
	)	No. 5:08-CV-62-D
	)	
WAKE COUNTY BOARD OF	)	
EDUCATION AND WAKE COUNTY	)	
PUBLIC SCHOOLS,	)	
	)	
Defendants.	)	

**Decision by Court.**

**IT IS ORDERED, ADJUDGED AND DECREED**, pursuant to the Court's Order dated July 8, 2008, the court GRANTS the motion to dismiss Wake County Public Schools as a defendant. Additionally the court GRANTS defendant Wake County Board of Education's motion to dismiss plaintiff's Title VII and section 1981 claims. Specifically, plaintiff's Title VII race discrimination claim in count one and plaintiff's section 1981 claims in counts one and two fail to state a claim upon which relief may be granted and are DISMISSED. Plaintiff's Title VII retaliation claim in count two is DISMISSED due to plaintiff's failure to exhaust administrative remedies. PLAINTIFF'S SECTION 1983 CLAIMS IN COUNTS ONE AND TWO ARE PERMITTED TO PROCEED.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED**, the court GRANTS the Board's motion for summary judgment. The Clerk of Court is DIRECTED to close the case.

**This Judgment Filed and Entered on May 25, 2010, and Copies To:**

Angela Newell Gray (Via CM/ECF Notice of Electronic Filing)

Adam S. Mitchell (Via CM/ECF Notice of Electronic Filing)

May 25, 2010

DENNIS P. IVARONE, CLERK

/s/ Debby Sawyer

(By) Deputy Clerk